

COPY

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

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Illinois Commerce Commission
RAIL SAFETY SECTION

THE BURLINGTON NORTHERN AND
SANTA FE RAILWAY COMPANY

Petitioner,

v.

WILL COUNTY, ILLINOIS, AND STATE OF
ILLINOIS, DEPARTMENT OF TRANSPORTA-
TION,

Respondent.

No.

T02-0053

Petition For An Order From The Illinois
Commerce Commission Establishing an
Additional At-Grade Crossing Extending The
Tracks of the Burlington Northern and Santa
Fe Railway Company Across Arsenal Road
In Will County, Illinois, Milepost 47.12, DOT
Number 004386N.

PETITION

Now comes petitioner, The Burlington Northern and Santa Fe Railway Company ("BNSF"), by its attorneys, Kenneth J. Wysoglad & Associates, and for its petition to the Illinois Commerce Commission states as follows:

1. Petitioner, BNSF, is a Delaware corporation with its principal place of business in Fort Worth, Texas, and is authorized to transact business in the state of Illinois and transacts business as a common carrier by railroad in interstate and intrastate commerce.

2. Will County is an Illinois municipal corporation.

3. BNSF operates a double mainline track in a generally northeast to southwest direction through Will County, Illinois.

4. Arsenal Road is an east/west roadway located within the geographic boundaries of Will County, Illinois, and is under the jurisdiction of Will County, Illinois.

5. BNSF's double mainline trackage traverses Arsenal Road creating at-grade crossings at milepost 47.12, DOT Number 004386N.

6. The existing double mainline trackage creating the aforesaid at-grade crossings over and across Arsenal Road are equipped with a single set of cantilevered automatic flashing light signals and gate warning devices.

7. BNSF intends to construct a third track to be located between the existing two mainline tracks. The new third track will extend across Arsenal Road at the above-referenced at-grade crossing location which will serve to create a third crossing surface over and across Arsenal Road at milepost 47.12, DOT Number 004386N.

8. The existing cantilevered automatic flashing light signals and gate units will serve as sufficient and appropriate warning devices to warn the traveling public of rail traffic that may traverse the new track over the Arsenal Road location.

9. BNSF is of the opinion that no new or additional warning devices are required by virtue of installation and construction of the new track and at-grade crossing surface.

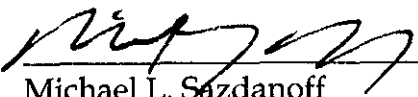
10. Petitioner, BNSF, has conferred with respondent, Will County, Illinois, concerning the installation of the new crossing surface and adequacy of the existing warning devices. Will County, Illinois, has voiced no objection to the crossing

installation and, in fact, supports the same.

WHEREFORE, petitioner, The Burlington Northern and Santa Fe Railway Company, prays that the Illinois Commerce Commission set the aforesaid matter before public hearing as may be required by law and thereafter enter an order granting and authorizing the installation of an additional crossing over and across Arsenal Road in Will County, Illinois, at milepost 47.12, DOT Number 004386N; determine that the existing warning devices at the aforesaid grade crossing location are sufficient and adequate to protect the traveling public with respect to the newly constructed at-grade crossing and for such other and further relief as the Illinois Commerce Commission deems necessary and appropriate.

THE BURLINGTON NORTHERN AND
SANTA FE RAILWAY COMPANY

By 
Cheryl Townlian


Michael L. Sazdanoff
Kenneth J. Wysoglad & Associates
Attorneys for Petitioner
The Burlington Northern and Santa Fe
Railway Company
118 South Clinton Street - Suite 700
Chicago, Illinois 60661
(312) 441-0333

STATE OF MISSOURI)
) SS
COUNTY OF GREENE)

VERIFICATION

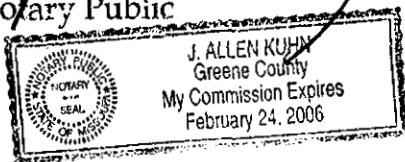
Cheryl Townlian, being duly sworn on oath, deposes and states that she is
Project Engineer for The Burlington Northern and Santa Fe Railway Company,
Petitioner herein; that she is duly authorized by said railroad company to sign, verify
and file the foregoing Petition; that she has knowledge of the matters set forth in said
Petition and that the same are true and correct.

Cheryl Townlian

Subscribed and sworn to before me this

17 day of May, 2002.

J. Allen Kuhn
Notary Public



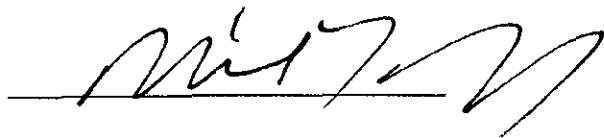
Michael L. Sazdanoff, attorney, certifies that on May 20, 2002, a copy of the foregoing Petition was served upon all parties of record by depositing same in the U.S. mail depository located at Adams and Clinton Streets, Chicago, Illinois, in envelope(s) with first class postage, prepaid, addressed to:

Mr. James C. Slifer
Director, Division of Highways
Illinois Department of Transportation
2300 South Dirksen Parkway
Room 300
Administration Building
Springfield, Illinois 62764

Mr. Henry Humphries
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, Illinois 62701

Mr. Sheldon Latz
County Engineer
16841 West Laraway Road
Joliet, Illinois 60433

Mr. Joseph Mikan
Chief Executive Officer
Will County
302 North Chicago Street
Joliet, Illinois 60432

A handwritten signature in black ink, appearing to read "Michael L. Sazdanoff", is written over a horizontal line.